

Attorney Docket: 112.P14019

REMARKS

Claims 1-6 are pending in the above-referenced patent application. Claims 1-6 have been amended, and no claims have been added or canceled. It is noted that the forgoing amendments were not made in response to any prior art. These changes were made to correct minor grammatical and typographical errors in the claims and to make it more clear what the claims do and do not cover. Furthermore, it is believed that these amendments do not narrow claim scope. Rather, in some cases, the claims are even broadened. Therefore, no prosecution history estoppel should result from these claim amendments.

In the Office Action, dated January 11th, 2005, the Examiner rejected claims 1-6 under 35 U.S.C. 102(e) as being anticipated by Chang (Pub. No. US 2002/0039205). The rejection of these claims is respectfully traversed.

Assignee respectfully submits that Chang does not disclose each and every element of the rejected claims, and, therefore, a *prima facie* case under 35 U.S.C. 102(e) has not been established.

Assignee begins with claim 1. Claim 1, as amended, recites:

"An improved transparency scanning module, which is applied on a cover of a scanning device, and the transparency scanning module is installed on the cover, wherein, the features are:

the transparency scanning module is embedded in the cover, a slot of the cover for holding the transparency scanning module includes plural power connectors, and there are plural connectors set on the relative positions of the transparency scanning module for connecting to the plural power connectors."

As just an example, Chang does not show or describe plural power connectors as recited in claim 1, either expressly or inherently. In the portion of Chang cited by the Examiner, there is no mention of plural connectors. According to the Examiner, "connectors are inherently provided to connect the light emitting device 111 and scanning module 20 of fig 1" However, as stated in Trintec Indus., Inc. v. Top-U.S.A. Corp., 295 F.3d 1292, 1295, 63 USPQ2d 1597, 1599 (Fed.Cir.2002) (quoting In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed.Cir.1999)), "Inherent anticipation requires that the missing descriptive material is 'necessarily present,' not merely probably or possibly

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present, in the prior art." It is respectfully submitted that there has been no showing by the Examiner that plural power connectors are necessarily present in Chang, and, therefore, Chang does not show or describe plural power connectors either expressly or inherently, and, therefore, does not anticipate claim 1, as amended.

It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. It is respectfully requested that the Examiner withdraw the rejection as to claim 1, as amended.

Assignee respectfully submits that Chang does not disclose each and every element of the rejected claims, a *prima facie* case under 35 U.S.C. 102(e) has not been established, and claim 1, as amended is in condition for allowance. Additionally, claims 2-6, as amended, depend from and include all limitations of claim 1, as amended, and are, therefore, in a condition for allowance for at least the same reasons as claim 1, as amended. It is, therefore, respectfully requested that the Examiner withdraw the rejection of these claims also.

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CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 640-6475. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3130.

Respectfully submitted,



Gerald Haynes

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